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UNITED STATES BANKRUPTCY COURT

DISTRICT OF ARIZONA

In re:)	CASE NO. B01-06221-ECF-SSC
)	
JOHNSTON, LOGAN T., III)	ADV. _____
)	
Debtor.)	COMPLAINT FOR WILLFUL STAY
)	VIOLATION AND REQUEST FOR RULING
)	THAT STATE COURT ORDER VIOLATES
)	AUTOMATIC STAY
LOGAN T. JOHNSTON, III)	
)	
Plaintiff,)	
)	
v.)	
)	
PAULA PARKER (debtor's)	
ex-wife),)	
MELVIN STERNBERG, (attorney to))	
Paula Parker), KAREN L.)	
O'CONNOR, State Court Judge)	

Plaintiff as and for his complaint states as follows.

1. Plaintiff is the Debtor in the above captioned case.
2. The Petition was filed on May 14, 2001.
3. Paula Parker is Plaintiff's ex-wife
4. Melvin Sternberg is Paula Parker's State Court attorney.
5. Judge O'Conner is the State Court Judge who entered the attached post-petition order.
6. This is a core proceeding.
7. The Defendants attended a hearing on May 17, 2001, where they were informed of Mr. Johnston's bankruptcy. In violation of the

1 stay, they conducted and participated in a hearing that resulted in
2 the attached order.

3 8. The attached order is a stay violation and therefore void.

4 9. A Notice of Bankruptcy was sent to the State Court and
5 to Melvin Sternberg as Paula Parker's attorney.

6 10. Written request was made of Melvin Sternberg and Judge
7 O'Conner to cure the stay violation.

8 11. The Defendants have refused to cure the stay violation.

9 12. As a result of the stay violation, and the Defendants
10 failure to cure, Mr. Johnston has suffered damages
11 including attorney's fees necessary to bring this
12 complaint and the motions related to the complaint.

13 Wherefore pursuant to 11 U.S.C. § 362, the Plaintiff requests his
14 damages, his attorney's fees, his costs and such other relief as the
15 Court deems just from Defendant Parker and Defendant Sternberg. The
16 Plaintiff also requests a ruling that the attached State Court Order
17 entered by Defendant O'Connor is a violation of the stay and is
18 therefore void. Plaintiff is not requesting any monetary relief from
19 Judge O'Connor.

20 Respectfully submitted this ____ day of July, 2001.

21 ELLETT LAW OFFICES, P.C.
22

23 By _____
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UNITED STATES BANKRUPTCY COURT
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KEVIN E. O'BRIEN
CLERK OF COURT